

Journal des étudiant-e-s en droit de l'université McGill

> McGill Law's Weekly Student Newspaper

Volume 35, n°8 9 novembre 2013 | November 197 201

Edition spéciale | Special saue

TRIGGER WARNING : This issue contains



McGill Law's Weekly Student Newspaper

Volume 35, n°8 19 novembre 2013 | November 19th 2013

Journal des étudiant-e-s en droit de l'université McGill

QUID NOVI

3661 Peel Street Montréal, Québec H2A 1X1

quid.law@mcgill.ca http://quid.mcgill.ca/ http://www.quidnovi.ca

EDITORS IN CHIEF

Jérémy Boulanger-Bonnelly Pietro Mastromatteo Fortunat Nadima

LAYOUT EDITORS

David McLeod Kirsten Morry Nadir Pracha Thomas McMullan

ASSOCIATE REVIEWERS

Pouney Davar-Ardakani Peter Grbac Kai Shan He Claire Kane Boychuk David McLeod Elspeth McMurray Kirsten Morry Andrew Stuart Anne-Sophie Villeneuve Ben Wood

STAFF WRITERS

Elliot Aglioni Ying Cheng Peter Grbac Stéphanie Déborah Jules Aaron Fergie Emma Loignon-Giroux Andrew Stuart Derek Zeisman

WHAT'S INSIDE? QUEL EST LE CONTENU?

| ÉDITO | 3 |
|---|----|
| THE IMPORTANCE OF CONSENT - ANONYMOUS SUBMISSIONS | 4 |
| A LAWYER BY PROFESSION, AN ENTREPRENEUR BY CHOICE | 13 |
| BLECHH: LAST WEEK'S OVERHEARD | 14 |
| ON WHAT MAKES US LAUGH (AND WHAT DOESN'T) | 15 |
| RE: OVERHEARD AT THE FAC (NOVEMBER 12) | 16 |
| A PITCH FOR ENTHUSIASTIC CONSENT | 16 |
| THE MAGICAL MOMENT OF THE MEETING OF THE MINDS | 17 |
| RE: OVERHEARD AT THE FAC (NOVEMBER 12) | 17 |
| FACTS AND NEWS | 18 |
| RAPE IS NOT A JOKE | 19 |
| ON RAPE AND JOCULARITY: A COMPOSITE | 20 |
| THE IMPORTANCE OF MCGILL TAKING A STAND | 21 |
| MAN TO MAN: TEACHING SELF-CONTROL AND LOVE | 22 |
| NEWS FROM YOUR EDUCATIONAL EQUITY ADVISORY GROUP | 23 |
| ON SHAME AND BLAME | 26 |
| AN EVENING OF MUSIC | 27 |
| FACULTY COUNCIL SUMMARY | 27 |
| NFO-SESSION RECAP | 28 |
| RESPONSE TO THE "OVERHEARD" ON NOVEMBER 12, 2013 | 30 |
| CALL FOR APPLICATIONS - LEGAL CLINIC PLACEMENT | 20 |

WANT TO TALK? TU VEUX T'EXPRIMER?

Envoyez vos commentaires ou articles avant jeudi 17h à l'adresse : quid.law@mcgill.ca

Toute contribution doit indiquer le nom de l'auteur, son année d'étude ainsi qu'un titre pour l'article. L'article ne sera publié qu'à la discrétion du comité de rédaction, qui

basera sa décision sur la politique de rédaction.

Contributions should preferably be submitted as a .doc attachment (and not, for instance, a ".docx.").

The Quid Novi is published weekly by the students of the Faculty of Law at McGill University. Production is made possible through the direct support of students. All contents copyright 2013 Quid Novi. Les opinions exprimées sont propres aux auteurs et ne réflètent pas nécessairement celles de l'équipe du Quid Novi. The content of this publication does not necessarily reflect the views of the McGill Law. Students' Association or of McGill University.

Editors in Chief



APOLOGIES

The Quid Novi would like to issue a formal apology for publishing an offensive overheard in last week's paper. Rape is not funny, in any context, be it in the "Overheard at the Fac", the "Fac" itself or, for that matter, anywhere at all imaginable.

The Quid Novi is fully committed to creating a safe and equal space for all members of our Faculty. Ultimately, our duty as coeditors-in-chief is to ensure the quality of the Quid, week in and week out, and to create and re-create, week in and week out, a safe and equal place for all members of the Faculty of Law. Last week, we failed in this duty, and for that, we offer thousands of unreserved and unqualified apologies.

The fact that we published the overhead in accident is no excuse. We published it, and we have a responsibility to engage what it has brought to light with the help of our readers, especially those who have rightfully wrote to offer us many insightful criticisms and complaints.

C'est pourquoi nous avons pris les mesures suivantes afin de remédier du mieux que nous le pouvons à cette situation :

- Nous avons tout d'abord répondu individuellement à tous les courriels qui nous ont été transmis cette semaine:
- Nous avons également pris la décision de consacrer le présent numéro au sujet du consentement, afin de donner une voix à ceux et celles qui veulent s'exprimer sur le sujet;
- Et finalement, nous avons par ailleurs décidé de suspendre la section des Overheards jusqu'à ce que nous révisions notre processus éditorial pour nous assurer qu'une telle situation ne se reproduise plus;

Finalement, nous tenons à remercier le Feminist Collective, avec qui nous avons été en contact cette semaine, pour leur grande initiative. Notons entre autres la création d'une boîte courriel entièrement anonyme qui a permis à de nombreux étudiants et étudiantes de nous partager leur histoire de façon totalement confidentielle.

En espérant que vous prendrez le temps de lire l'ensemble de ces histoires et des articles qui apparaissent dans ces pages, nous réitérons encore une fois nos plus sincères excuses.



THE IMPORTANCE OF CONSENT

Trigger warning: The following texts may contain explicit descriptions of sexual violence / Avertissement: Les textes ci-dessous pourraient contenir des descriptions explicites d'agressions sexuelles.

Over the summer I was on a long haul flight. I had been prescribed anxiety medication to take for plane trips due to a fear of flying. The flight was a night trip, and while on the plane I took one of my pills. Right after I took it I noticed the middle age man sitting next to me looking at me. I didn't think anything of it and went to sleep.

However later I awoke to realize that the man had covered me and himself in the same blanket. I also felt something in my lap. In my stupor I realized that it was this man's hand. I reached down and moved his hand back to his lap and passed out again. Over the course of the trip I kept feeling his hand in my lap and trying to push it away, but I was too out of it to do anything else.

Once the medication started wearing off I was overcome by shame and disgust. How could I have let this man touch me? What should I do? I didn't do anything. Worse, the man started talking to me saying that I had "slept like an angel". This man then followed me out into the airport and through security. I ended up running away from him full speed after the security line. I spent several weeks feeling ashamed for being powerless to stop the assault.

I was raped by an attractive man.

It's a common story. I agreed to go home with him, I did consent to that.

But after sobering up, I realized that I did not want to have sex with him. He was not so good-looking in his house: he looked vicious and mean and strong. I realize now that he thought my initial consent to go home with him could somehow satisfy his conscience for everything thereafter.

So I had sex with him. I was afraid of him and it seemed easier. Then, as I got ready to leave, he started acting all nice. The night had gotten colder and he offered me a shirt. He asked for my phone number. I remember thinking, "You just raped me and now you want my phone number?" But understand that, if you asked him, he would never call it rape. I had agreed to go home with him, after all.

For a long time, the shirt – my vile rape prize – sat at the bottom of one of my drawers. I can't figure out why I kept it so long. I did eventually throw it out, because I'll be damned if I let myself feel like a victim for the rest of my life.

The funny thing is, I'm not angry about the Overheard comment. I get it – it can be hard to understand the potential impact of a rape joke when rape is not a reality that you yourself have lived.

Non, ce n'est pas moi. C'est toi.

Il y a de ces moments qu'on préfèrerait ne pas se remémorer. Faire comme si ils ne s'étaient jamais produits. En diminuer l'importance. Se dire que ce n'était rien, se taire parce qu'on a honte. Ne pas en parler, ni avec les autres, ni avec soi même. Ou en rire, pour excuser les larmes. Et surtout, se blâmer soi-même. Se dire qu'on l'a cherché, dans le fond, ou qu'on a imaginé des choses.

Pendant longtemps, quand je pensais à une agression sexuelle, j'imaginais quelque chose de violent, de soudain. Avec des cris, des cheveux qui s'arrachent, et toute l'imagerie lugubre qui vient avec cet amalgame de consonnes dures. C'est pour ça que j'ai eu tant de difficulté à identifier certaines de mes expériences comme étant des agressions. Parce que tout s'est produit de façon sournoise, et que c'est le silence, plutôt que les cris, qui les caractérise toutes.

Je ne me suis pas dit que j'étais en train de me faire agresser sexuellement quand un homme a décidé d'utiliser mon épaule comme moyen de provoquer et soulager son érection, un mardi matin, dans un train de banlieue bondé. Quand le nez dans tes recueils de texte, toi, la petite jeune assise sur le bord de l'allée, t'es au niveau de l'entrejambe de tous ceux qui sont debout. Quand chaque mouvement de train, chaque passager qui circule, chaque arrêt devient un prétexte pour que ton assaillant se frotte plus fort sur ton épaule. Quand tu sens qu'il y quelque chose qui se passe, dans ce pantalon beige en polyester, mais que t'es condamnée à rester assise, que l'embarras te fige. Quand tout autour de toi, tout le monde a le nez sur son nombril ou son téléphone. Que tu te sens affreusement seule, au milieu de cette foule, seule avec le pénis dur et chaud d'un monsieur qui respire fort, fort au dessus de ta tête. T'essaies de faire comme si rien n'était en train de se passer. Tu réussis à te convaincre que t'imagines des choses, même si au fond de toi, tu sais très bien ce qui vient de se passer.

Pis après ça, viennent ces expériences au fort parfum d'alcool. Ah, l'alcool. Je sais t'es peut-être en train de te dire : «Bon, check toutes ces filles (et garçons) qui ne cherchent qu'à excuser leur comportement, leur imprudence, sous prétexte qu'ils avaient bu. Ferme-la, pis assume!» Si c'est le cas, laisse-moi t'expliquer. Oui, boire, ça rend propice les (excuse le vocabulaire occupationdoublois) rapprochements, on ne va pas le nier. Oui, des fois, tu peux te réveiller, le lendemain, en te remémorant certaines choses et tu te dis «Ouin, j'aurais VRAIMENT pas dû faire ça!». Mais y'a une différence entre boire et consentir à faire des choses dont t'as envie, quitte à les regretter le lendemain, et boire de manière à ne pas être en mesure d'émettre quelconque consentement.

Crois-moi, je suis capable de faire la différence. Dans les deux cas, cependant, tu réussis à te blâmer le lendemain. Juste toi. J'aurais dû, j'aurais pas dû, je savais que... Reste que, quand t'as consenti, tu restes avec un souvenir qui te fait rougir, de plaisir ou d'embarras, mais c'est doux. Consent is sexy. Quand tu sais très bien que tu n'aurais jamais consenti, tu restes avec un goût amer dans la bouche, pis l'impression désagréable que t'as été souillée. Parfois au sens propre.

Ça m'a fait rire, quand j'ai lu le Overheard en question. I'm so attractive that there is actually a prima facie presumption of consent. Ça m'a fait rire parce qu'une fois, mon agresseur était vraiment beau. Tellement beau que c'était sa job, faire rêver les filles et les garçons. Leur montrer quelque chose d'inaccessible, les exciter, les titiller. Oui, aussi drôle que ça puisse paraître, j'me suis fait agresser sexuellement par un danseur. C'était ma fête, j'avais beaucoup bu. Beaucoup. Deux de mes amis et moi, on décide de finir la soirée aux danseurs. J'ai abouti, je ne sais trop comment, dans un isoloir avec l'un d'eux. Il était beau, ténébreux. Mes amis trouvaient ça drôle, que j'aie une danse privée. Après tout, c'était ma fête. J'me souviens d'être affalée sur le coussin de l'isoloir, immobile, somnolente, avec le gars qui danse devant moi. J'me souviens qu'il met son pénis dans ma bouche, de moi qui ne bouge pas. Qui ne peut pas bouger. Je me souviens qu'il a levé mon chandail, pour éjaculer sur ma poitrine. De moi qui, après qu'il eut terminé, baisse mon chandail. Qui fait comme s'il ne s'était rien passé. Qui sort en titubant de l'isoloir, pour retourner au bar. De lui qui attend son argent. De moi qui le paie. 60\$. J'ai passé 3 chansons avec lui, vous comprenez.

T'es peut-être en train de rire. Je sais, c'est drôle. La fille se fait agresser par un danseur. «T'aurais dû en profiter, y'était tellement hot, de toute façon!» Mais c'était loin d'être drôle quand je me suis réveillée le lendemain, rongée par la peur et la honte. Oui, la honte. La fille qui paie son agresseur, qui ne dit rien, parce que l'histoire est tellement ridicule. Qui garde ça pour elle. J'aurais tellement aimé avoir la force de lui arracher son pénis avec mes dents. Tu peux laver ton corps, tu peux te rincer la bouche, mais tu ne pourras jamais javelliser ta mémoire.

Finalement, après quelques années, tu te dis que t'es plus vigilante. Tu fais attention. Tu deviens raisonnable. Tu t'entoures de gens à qui tu fais confiance, tu limites tes abus d'alcool et si t'abuses, tu fais des choix responsables, prudents. Comme après la fête d'un ami. Je savais que j'étais en état d'ébriété, et que le taxi était la meilleure option. Un autre ami, que je connais depuis des années, m'offre de m'accompagner pour trouver un taxi. J'accepte. On prend le bus, il connaît un endroit où il y en a tout le temps. C'est sur le chemin vers chez lui, et plus proche de chez moi. Arrivés, pas de taxi. Il me dit qu'il habite proche, qu'il va prendre son auto, qu'il va me reconduire, pour ne pas me faire attendre, seule, à cette heure, dans ce parc. J'accepte, c'est plus prudent ainsi. On marche jusqu'à chez lui. J'embarque dans son auto. Il démarre, puis se stationne dans une ruelle. J'suis sur le siège passager. Je somnole, je suis pas très consciente de ce qui se passe. Puis il se met à me toucher. Il baisse mes pantalons. J'suis pas trop consciente, mais je sais que c'est désagréable. Mon corps lutte, se crispe, mais ma tête ne réagit pas. Je me demande si j'ai pu envoyer un signal comme quoi j'étais d'accord, étais consentante. J'étais confuse. Je savais très bien que je ne pouvais avoir consenti, que je n'étais pas dans un état où j'étais capable d'émettre un consentement. Mais le lien de confiance entre cette personne et moi m'a fait, pendant un instant, douter. Soudainement, il s'arrête. Il me demande si j'ai mes règles au même moment où il met sa main ensanglantée devant mes yeux. C'est la vue du sang, de mon sang, qui ma fait reprendre mes esprits. Comme un coup d'adrénaline au cœur. Je savais que ce n'était pas mes règles, mais que c'était lui qui, dans sa bataille avec mon corps, m'avait blessée dans mon endroit le plus intime. J'ai remercié mon corps d'avoir mené un combat, alors que ma tête en était incapable. Dégoûté, il a arrêté, m'a reconduit à un taxi. J'étais déchirée entre la honte et la gratitude.

Mais cette personne, je la vois encore, une fois de temps en temps. Nous avons toujours des amis communs. Je n'ai jamais raconté ce qui s'était passé, ce soir-là, à quiconque. Encore une fois, la honte. Un sacrifice personnel pour ne pas froisser des amitiés. Mais à chaque fois que je croise son regard, j'ai l'image de sa main qui revient me hanter. C'est plus difficile d'être la victime de quelqu'un à qui on avait fait confiance, qu'on connaissait bien, que l'on doit subir de revoir et recroiser, que celle d'un parfait inconnu. Sûrement parce que c'est d'autant plus difficile d'en parler.

Je n'avais pas consenti à ce que mon corps devienne l'objet sexuel d'un inconnu, le temps d'une ballade en train.

Je n'avais pas consenti à prodiguer, à mes frais, une fellation à un danseur, et devenir le réceptacle de son sperme.

Je n'avais pas consenti, cette nuit-là, à devenir le terrain de jeu de la personne qui devait me raccompagner chez moi en sécurité.

Malgré ça, je me suis toujours blâmée. J'ai atténué la gravité de ces évènements. J'ai accepté une part du blâme. Je me suis toujours tue, étouffée par la honte. Pour ne pas déranger. Pour ne pas être «une autre chialeuse».

Toutefois, en lisant la contribution de l'une de mes camarades de classe pour ce numéro, j'ai pris conscience de mes expériences. J'ai voulu m'en exorciser, les révéler au grand jour. Les voir couchées sur papier. Rendre public ce que je gardais en dedans. Car si ce fut, pour moi, de lire le récit d'une amie qui m'a fait prendre conscience des agressions dont je fus victime, peut-être que mes histoires en pousseront d'autres à briser le mur du silence et de la honte.

Ta camarade de classe, ta prof, ta sœur, ton amie, ta blonde, ta maîtresse, ta fille.



THE IMPORTANCE OF CONSENT (cont'd)

Trigger warning: The following texts may contain explicit descriptions of sexual violence / Avertissement: Les textes ci-dessous pourraient contenir des descriptions explicites d'agressions sexuelles.

The security guard from my previous university sexually harassed me.

He said that I was too pretty. He said that my long study hours turned him on. He said that he likes the way I move. He said that he could not resist me.

It's not his fault. I am just too pretty, too attractive, too sexy for him. He can't resist my attractiveness.

He followed me. He knew where I lived. He called me. He messaged me. Everywhere I went I knew that I was being watched by him.

I called the police. There was nothing they could do. Until he touched me, I had no proof. The police said that it could be all in my head. But I could see his face across the street looking at me.

He had the power. I had my beauty. He was supposed to protect me but he could not resist me.

It's my fault.

I am strong. I am a lawyer in training. I speak my mind and utter no apologies. I am proud and unashamed. I have a face, a mind, a body, and a voice, all of which I use to please myself—never you. I sit near you in class. I pass you in the halls. We are colleagues now, but I look forward to the day that I become your boss.

I want you to know that I see you, in all your simplicity. Food, sex, and, power are all that make up your operating system. The world is black and white for you. Women have vaginas, you have a penis, and penises penetrate vaginas, therefore, you can stick yours in any you like. NO.

I carry dog spray. Pepper spray is illegal in Canada, so dog spray is my proxy. I bought dog spray to defend myself, not against dogs, but against men, against you. I am strong. I have a weapon in my pocket, and if you touch me in any wrong fashion, I will spray your ass.

That's right, a weapon meant for defense against wild animals is purchased with you in mind. What does that say about you?

Ambition and confidence made my mind impenetrable, and now thanks to the spray, so is my body. Evolution, may have given your body the upper hand, and admittedly, 10,000 years ago, whilst we sat in our cave, I would have feared you. But this is not

10,000 years ago. This is now. This is law school. Our battle is not one of bodies but one of minds, and so, I win.

I sit next to you in class. I pass you in the halls. I look forward to the day I become your boss.

Forced Consent is not Consent

Not every attractive young woman who you see drinking in a party is asking for sex. Not every person dancing without a care on the dance floor 'wants some'. And me having a good time dancing, three drinks in and stumbling a little to the bathroom to simply go pee after catching eyes with you, is not an invitation for sex.

I saw him in the dance floor earlier in the night. He was good looking and he smiled. I smiled back. And then suddenly he was there, as I pushed the bathroom door open. He took my hand and pulled me away, and suddenly I am outside the bar alone. At first I thought he wanted to talk and maybe get some air so I let myself be daintily pulled along. I thought maybe we'd talk and maybe, eventually maybe, we might even kiss if we liked each other. But before I can open my mouth, before I can even protest or say my name, I am up against a wall and he's kissing me. As his mouth slams up against mine and the taste of his alcohol chokes me. Suddenly what is happening hits me. I try to turn away but he grabs my wrists and slams me back against the wall. His fingers cut off my circulation. This is not the kiss that I had in mind. This is not okay. As I struggle to push back against his force he shoves me along the wall until we push through a door into a shed. He knew it was there beside us all along. This was planned. Sobriety comes spurting back in desperate waves as I realize that in order to get out I'll have to play along. I'll have to act like I want this, like I consent. With one hand still holding onto me he tries to undo his belt and I hold back tears. I then lean over and kiss him, this time voluntarily. I take him off guard, kissing him deeply and act as if I really want this. And then, distracted by my kiss, he momentarily lets go of me to undo his belt buckle, and I sprint out the door.

This is the funny thing about consent. Frequently what seems like 'consent' is actually acquired under forced conditions, or it is presumed and extrapolated from consent that might have been given for something else. I admit it—I consented to being taken outside, I wanted to have a chat and see if anything was there. But consent to going outside to chat and share a cigarette is not an invitation for sex. Consent to kissing you in order for you to stop raping me is not consent. When someone is not offered the chance to express their consent, it means no. When someone

says no, it means no. It's not some game of cat and mouse, it is not some flirtatious strategy. It's not something you can presume. Stop trying to force it, stop trying to construe it and call it what it is.

We went drinking. I felt safe drinking with the two of them because they were my friends and I trusted them. It was not a safe place and they always made sure I got home safely. He had a girl-friend and he told me he was in love so I never thought that anything would happen. Naive I know. The people we were drinking with left, and so did my second friend; he wanted to go home. He asked if I was okay. Of course, I said, the other would bring me home. He left. The friend with the girlfriend kissed me. I said I wanted to go home. He asked if he should bring me home. I said yes.

It was dangerous to go alone; I might get raped.

But I didn't want to have sex with him. I remember saying that we would not have sex – I said it twice. I also remember him bringing me home. That's all I remember.

I woke up alone. I was naked. I couldn't remember anything. I have never been so drunk that I cannot remember, and I didn't drink enough to justify it. There was a condom on the floor so I called him and asked if we had had sex. He said yes.

That's all I asked - if we had had sex.

I was embarrassed that he had touched me and I don't remember. I was embarrassed that he did things to me that I don't remember. I still haven't asked him if I ever said yes. Does yes matter if I don't remember? And I am too scared to ask him another question — why don't I remember? Because that's a really big question. And an even bigger accusation.

Good thing he brought me home. I could have been raped.

Hello! I am also the fellow student who sits in class with you.

How can I start? I will start with the situation that comes to mind first: a few years. After too many previous experiences feeling like I'd been used for sex, I'd decided not to sleep with a new guy I was seeing until I found out whether we were going to do the "couple" thing or not. I told him that, he said he was fine with it. At some point after few weeks together, in bed together one night naked, I reminded him that I didn't want to have sex. We continued making out, fooling around. Suddenly, his un-condomed penis was inside me.

I remember I got angry at him after - I knew that it was a "safer" time of the month for me to have unprotected sex, but he had no idea. He hadn't asked if I was on birth control, hadn't asked about my sexual past, nothing. But it wasn't until later that I realized that he had completely dismissed everything I had told him about not wanting to have sex. Did he rape me? I have not for-

gotten this. I still hate him and myself for it. It was so dismissive. And what is worse is that when he put himself inside me, I didn't stop him, because it felt good. Consent's complicated that way.

It also speaks wonders about the presumptions that are made about sex. Why did I feel then, as I did at the beginning of my current relationship, that I have to make it clear to men that I am not going to sleep with them right away? The presumption is not in my favour. Clearly it is that I will have sex with them unless I say otherwise.

Three times, I have had male friends or friends-of-friends enter my room while I was sleeping and get into bed with me or try to. Men with whom I had almost no previous relationship at all. The first time I tried to play it off as a joke for a few minutes to save both of our faces, and when it didn't work I kicked him out. In the morning he apologized, but I took a deep breath and said I did not feel comfortable being his friend anymore. He harassed me at every party I ever saw him at after that. At one party at my place, he grabbed me by the arm and tried to force me to go upstairs to "talk to him". I left and slept at a friend's house that night instead of in my own home while he and my roommates partied on.

The second time it happened, with a different person, I was staying over at a male colleague's home that he shared with his girlfriend, who was not there at the time. After I went to bed he came back to the room I was in and asked if he could get into bed with me, "just to sleep, nothing else." I said no. I wanted to leave right away and drive home, but we'd been drinking, and that's why I was sleeping there. I felt so trapped. He had made me feel so trapped. In the morning I told him the same, I do not want to be your friend anymore. You've made me too uncomfortable. He said my reaction was extreme, because he "didn't do anything."

The third time...well, the third time, with a different person, I simply said I never wanted to see him ever again. And I didn't. Each time, someone told me my reaction was extreme though, be it the question or a friend. "He was drunk" was the thing that people said, "he's really a good guy." People even say things like, "Well you know the impression guys get when you talk to them so much". As if one implicitly consents to sex simply by talking to a man past a certain magic limit in time.

I remember many years back. I was totally in love with a guy. I told him I wasn't sure if I wanted to sleep with him. He said, "Come on, it's just sex." He was also a good guy.

Even though I still feel angry sometimes and traumatized sometimes, I feel lucky that this is the worst that has ever happened.

A few years ago, I was in a lovely and respectful relationship with someone I truly loved. I believe we had a healthy consensual sex life and I couldn't be happier. Except that one time. One time, my ex-lover came home early evening quite drunk after spending



THE IMPORTANCE OF CONSENT (cont'd)

Trigger warning: The following texts may contain explicit descriptions of sexual violence / Avertissement: Les textes ci-dessous pourraient contenir des descriptions explicites d'agressions sexuelles.

part of the night out with friends. I had stayed home, studying or writing essays for some upcoming deadlines. Despite his silly drunkenness, we chatted and kissed like we would usually do when one of us what coming home. After a few minutes, I knew he wanted to go further and have sex. I didn't want to but I didn't mind the kisses and such. I said 'no' a few times. I said 'no' many more times and then I started to feel uncomfortable. And then came the 'come on'; 'I want it'; 'it'll be quick'; 'why don't you want it? I want you now, don't you want me?'. The person who was telling me this was a lover, a person I highly trusted and a person I thought was the most respectful to my body and to me.

I left the room, crying, with nowhere to go and nobody to talk to about this. We then had a chat about this about why I said 'no' and why he should respect that. I felt terrible. Part of me didn't want to hurt his feelings and envies; the other part of me was a bit scared. He fell asleep and woke up later, sober, telling me he had no idea what happened and couldn't recollect our discussion. It made me feel sad and terrified it would happen again. That I would have to do more than simply say 'no, I don't feel like it now' and justify myself all the time. Fortunately for me, this happened only that one time. We went back to our healthy consensual sex life but this episode was still with me every time he was drinking and I was not; every time I didn't want to have sex and he wanted to. This episode is still with me every time, now that I'm single, I meet someone after a couple of drinks.

This guy is still a very good friend of mine and we had a discussion about this recently. I told him how I felt on that specific night. Being older/having more legal and social knowledge on sexual violence/consent/rape, I was able to articulate myself properly. To explain why this was wrong. He said he was sorry. I believe him, I know he is sorry and he learned from this experience and from our discussion.

Sometimes, I say to myself: 'I'm lucky, I have never been raped; I have never faced sexual violence; this was just a silly incident; other women (and men) were and are *really* sexually abused so my story is not that important'. But when the feminist collective asked for some anonymous personal experiences about consent, I knew I had to write this down. I knew what happened to me that night is part of a broader culture of sex entitlement, rape culture and violence against women.

I am your classmate. I am outgoing, involved, well-adjusted. You probably wouldn't guess that I've been sexually assaulted.

I was not jumped on the street by a stranger. I was not drugged in a bar. What happened to me was much more subtle. And fre-

quent.

Some incidents were comparably small; some even seemed funny at the time. But what happened to me was sexual assault. It was only in law school that I gained the language and the self-awareness to be able to recognize that.

There was the time I fell asleep next to a guy and woke up with him actually humping my legs. Hilarious? No. I spent the next few days in a total slump, but not being able to express why I had felt so violated. It seemed like such a small thing. Everyone thought it was so funny. So I learnt how to deal with it – ignore it. Laugh it off. Ha. Ha. Ha.

A guy once pulled down my top and exposed my breasts to a crowded bar. No one reacted, no one intervened. I moved on.

My first experience with oral sex was forced. I was drunk. A guy I didn't know pulled me into the bathroom, pulled out his penis and pulled my face into it. It lasted only a few seconds before I stumbled away. I saw him every day for two years. Years later, I saw him in a bar. He didn't know who I was.

There were the times, multiple, that I don't remember having sex because of alcohol. I don't remember intending to have sex, nor do I remember leaving the bar or party. I do remember the next day when I realized that he had not been that drunk, he remembers what happened that night. I pretended these encounters didn't happen.

I once consented to sex because I was afraid of what he'd do if I said no or tried to leave. The choice was either to consent and take it - or risk being raped and accept all the stigma, stress and legal implications that come with it. I chose the former.

The worst part is, I feel like I got off easy! I was never forced in an alley or drugged. I was drunk during a lot of the assaults, so I can at least blame myself. Blaming yourself is much easier than thinking of yourself as a victim.

My story is not unique. Many of your peers will have similar stories to tell. Or worse. Please keep us in mind the next time you trivialize consent.

- The Female Student Sitting Next To You

I was fifteen years old. I was good at lying to my parents, who were busying themselves with their divorce. I was into drugs and alcohol and going to nightclubs downtown. I was a virgin.

He was twenty-something. I thought he was so utterly beyond cool. When we met he was DJing in one of the clubs I often went to with my girlfriends. I thought he gave a shit about me, but he didn't even know how old I was.

When I said stop because it hurt, he didn't. When I started sobbing, he covered my mouth and told me to shut up. But it wasn't until he left me in the middle of nowhere on the side of the road that the real pain started to sink in.

The pain has dulled after more than ten years and I don't question my entire self-worth anymore. I'm resilient. I'm able to articulate why what happened to me was not my fault and that even though I thought he was attractive, even though I liked holding his attention in those initial moments - there was no consent. Period.

This is the part I struggle with: my story is not an isolated incident and it's not even one in a hundred, ten or twenty. One in four North American women experience sexual assault at some point in their lifetime. Rape jokes trivialize these experiences and they promote a culture of victim blaming. I'm disappointed that this kind of culture is present in law school, but at the same time, I'm also not surprised because law school exists within a heteropatriarchal society.

So how can we change this? How can we take the focus off of the victim's body and behaviour and redirect the attention onto the actions of the aggressor? This is what keeps me awake at night now. This is where I focus my gaze.

I know I suggested we remain friends. But I find it really difficult to try to do that. Any trust I had has been shattered. And I find it difficult to feel respect for you when you were so disrespectful of me. I know I suggested we remain friends. But that was before I had really come to terms with what happened, with what you did. That was when I was still in denial, and didn't think something like that could happen to someone like me: a strong, confident, intelligent, compassionate young woman. I am no longer in denial. I am angry and sad, but not in denial. And I don't think we can remain friends, despite all the friends we have in common. I don't trust you.

Wednesday evening, I left the faculty just after 7:00pm feeling very upset. We had been discussing sexual assault in our criminal law course, and I was feeling triggered by that evening's discussion, by discussions in the class from Monday, and by Tuesday's Quid "overheard" comment on rape and consent.

I, like too many women, have been sexually assaulted – and more than once. I have experienced unwanted sexual touching, by people I know, on numerous occasions: by a junior high classmate; by a high school classmate; by a co-worker. All these incidents involved a pinch or slap on the bum. I felt violated in each instance.

The event that upsets me most to this day involved unwanted penetration. I was in my early twenties, and had been dating a man 10 years my senior for a few months. I'd met him through friends, who had invited him along to a party at my place. I'd made it clear on several occasions that I was not comfortable having sex without some sort of contraceptive, and would not have sex without some sort of contraceptive. We had had frank and open conversations about this. I was not ready to be a mother, and I wasn't sure I would be ready to have an abortion, either. I was not on the pill, and was not interested in being on the pill. He knew this and supported my decision. (We had both had STD tests and were clean). We were in a bit of a sex predicament though because he could not sustain an erection with a condom. He said that in a previous relationship he had just used the "pull out" method to prevent pregnancy and there had never been any problem. I said I was not comfortable with this. So we would just fool around without actually engaging in sexual intercourse; plenty of sexual activity, but no actual sex.

I was leaving town for a 10-day vacation that summer, and this man and some friends came over the night before. We ate, we drank, we had good conversation. There was a lot of wine involved. He stayed over that night. After my friend had left and my roommates had gone to bed, we started fooling around in my bed. The next thing I knew he had penetrated me; condomless, he was inside me. I was scared and upset, because I knew he knew I did not want to have sex without contraception. "No, don't," I said, and he pulled out. I don't remember exactly what happened next. I know he left early the next morning, and I went off to work and straight from work to the airport. I also had a bit of a fat lip and a bruised breast from aggressive sucking and kissing the previous night. I was feeling confused and sheepish. I didn't see my roommates that morning; I was in the office alone that Friday; I went by myself to the airport. My first three days of vacation I spent alone in Paris, before heading south to meet friends in Bordeaux. I remember looking at myself in the mirror in the apartment I was staying at in Paris and thinking, "No, that wasn't abuse, that wasn't assault -those things aren't meant to be part of my life; I don't want to be a victim." I spent a lot of that vacation feeling really confused, and trying to convince myself that maybe it was nothing, trying to wipe that night from my mind. To some extent, I succeeded in doing that. I convinced myself it wasn't important. I did not break up with him immediately upon my return home. When we did break up a month later, one of the things he said to me was, "I kept hoping you would eventually want to have sex so bad that you wouldn't care there was no condom." I was shocked.

I hope he has learned and changed. He did precede those comments by something to the effect of, "I'm embarrassed to talk about this; it makes me seem like a bad person." I hope this reflection has pushed him to respect women's decisions about their bodies, and to engage only in consensual sexual activities.

I still see him at parties because we have mutual friends. I thought we could remain friends, but the more I think back on that incident and the more I come to terms with the assault, the



THE IMPORTANCE OF CONSENT (cont'd)

Trigger warning: The following texts may contain explicit descriptions of sexual violence / Avertissement: Les textes ci-dessous pourraient contenir des descriptions explicites d'agressions sexuelles.

more I accept the fact that I will not be able to maintain a friendship with him. To this day, I have not told any of our mutual friends about this incident; I've only ever told it in full detail to one person, largely through tears. And that was only very recently.

I don't necessarily think that you are a bad person. But your actions were wrong. Your thoughts were wrong, and they reflect a trivialization of consent that is all too common in our society. It is damaging and hurtful. I am still hurt. I don't necessarily think that you are a bad person, but you disrespected me and the choices I had made about my body. I don't trust you. I don't think I ever will. But that doesn't mean I think you are a bad person. And for better or worse, I have written this anonymously to protect your reputation.

That comment reminds me how much of every day I spend surrendering to the constant penetration of sexism. Simply, it breaks my heart to find a reminder like that in the Quid. Your publication of it is so disconnected from my daily reality.

I can tell you story upon story upon story of being attacked; in the street, in my home. Big awful attacks. Tiny-always-there attacks. There is never consent. There are so many it's like I forget consent is even possible. The only way I've found to get through all this ongoing unauthorized penetration - enough to maintain my own heart and sense of truth - is compassion. Knowing, sadly, that every attack is a deep and blatant reminder of how so many men still exist so far from their humanity. This is something that enters my heart on a regular basis. Your publication of the comment creates a particular heartache for me - one that calls for even more compassion as the comment spoken is now heard again and again and again. And you made that happen.

And so yeah. Now that I am a good 20 minutes late for class I suppose in some small way, this text is an unusual pause to my usual surrender and silence.

- The Woman Walking Beside You

When I was 14 years old, my older brother became best friends with this very good looking, brilliant, charming guy. Over the span of a summer he was always at our house. Naturally I became infatuated with him; I think everyone did. He was always very flirtatious, but one night at a party he kissed me. It was my first kiss (I was a bit of a late bloomer). I was ecstatic. The next time he was over at our house we watched a movie. He reached over and touched me under the blanket. I hated it; it was so un-

comfortable and awkward. I kept moving his hand away but he would still continue. He did this over and over again whenever he was over at our place, in front of friends and family. Meanwhile he would pretend that there was nothing between us. Sometimes I would awkwardly smile, but mostly I would just stare straight ahead blankly. I kept telling him to tell my brother about "us" and he would promise he would, but he made me swear not to say anything in the meantime. He made me think he wanted me as his girlfriend. Of course I did whatever he wanted. He never told my brother; he was never going to. There was no "us". Eventually my brother found out that we had been "hooking up" from a mutual friend I told and he went ballistic. He cut off all ties from the friend and blamed me for the dissolution of their friendship. He still blames me to this day. I never realized what the friend had done to me until 5 years later when I told my ex-boyfriend, who told me if he ever met the guy he would knock him out. I recently tried to tell my brother what he did but he wouldn't believe me; he asked me for details, but I felt too uncomfortable about it to tell him. I still feel guilty; I still blame myself for ending their friendship. It was my first sexual experience. He took advantage of my innocence and my infatuation with him. I'll never get my first experience back; I can't look back on that part of my life without being consumed with shame, regret, and guilt.

When I was in high school, I had been dating this boy for about a year. My boyfriend and I hung out every single day, we had met each other's families, we held hands any chance we got and spent what felt like hours kissing each other. On New Year's Eve, my high school boyfriend and I were at an unsupervised party. We went off to be alone, and after a few minutes of drunken kissing I wanted to take things to the next level and put my hand down his pants. We touched and kissed each other for a few more minutes and then returned to the party. I thought nothing of it.

The next day my boyfriend sat me down, with a very serious look on his face. He told me that he was really upset that I had touched him in that manner. He admitted that it felt good, but what bothered him was that we hadn't talked about going to the next step, and I had not asked his permission to do so. Even though it felt good, he told me he felt violated. And guess what my reaction was? I WAS FURIOUS. I felt that he was making me out to me some sort of sexual predator. I said I couldn't understand why he felt violated; we had been together for a year at this point and we definitely enjoyed our passionate make out sessions. I literally told him that I assumed I had [prima facie] consent because we were dating. He said that didn't matter at all. Even though moving to the next step in that drunken mo-

ment felt perfectly natural to me, I touched him in a physical way that he was not prepared for and had not consented to, and it made him feel sick.

Do you get it? Doesn't the irony just jump right off the page?

When I stopped feeling hurt and understood the point my high school boyfriend was making, I felt horrible. That I had violated someone in such a way, that I had caused another human being that specific pain and fear, was repulsive to me. This happened eight years ago, and I still want throw up when I think about it. Because as a woman, I know that feeling. That sick feeling at the bottom of your stomach. The feeling that grows when some guy starts putting more and more pressure on you or is acting in a more abrasive way and your blood runs cold. That trapped feeling. All that pent up sadness and confusion about why half the population understands me while the other half laughs and trivializes my fear — it makes me want to scream.

Looking back at how angry and upset I was at my boyfriend's confession, I assume the way I felt is similar to how a lot of men feel when they are accused of violating a woman's consent, "I don't understand what the problem is, I took her out for dinner and we had a great time; oh but she smiled at me and raised her eyebrows in a suggestive way; yeah but she consented to kissing me and then things were getting hot and heavy and I am an attractive man that she is clearly interested in, so OBVIOUSLY I have her [prima facie] consent to go to the next step..." NO. It doesn't work like that. The way she acted, the way he acted, the situation, how drunk you both were, none of that matters. I was in love with my high school boyfriend, yet I still managed to sexually assault him by not asking for his consent.

Consent is everything. Especially as a law student, I understand how fundamentally protected consent is. It is a constitutional right not to have your person or bodily integrity violated. Physically touching someone in violation of their consent gives rise to a whole slew of civil liability remedies. Consent is such a key factor in contract law that literally any contract can be annulled on defective consent alone. Why is it that most of us young law students have no problem understanding the importance of consent in a legal context, but in a sexual matter consent can be seen, more or less, as trivial? Anyone can understand that if party A consents to a specific clause and then party B adds on extra obligations that were not discussed, party A's consent is vitiated, as though it was never given. But only people who have had their consent violated in a sexual manner - who, let's be honest, apart from my high school boyfriend, are virtually only women - can appreciate how important sexual consent is to your well-being, mental health, and happiness. We cherish our right to consent and our right to refuse as much as any other person. When someone violates your consent, it is one of the worst things that can happen to you. I know this from personal experience, both because it happened to me and I did it to someone else. I know my high school boyfriend understands. I am not going to boldly state that all men should be sexually assaulted in the hopes that that will fix all the problems concerning systematic rape culture and the feelings of sexual entitlement that many men internalize and act on. But if I am being honest... .sometimes, really deep down, I secretly wish they would. I know it won't fix the problem, but I am running out of ways to make men understand that there IS a problem. And that's a problem.

Un-learning Entitlement, Learning Consent

I can still feel the choking sensation and the harsh edge of the furnace digging into the back of my head when I think back to that night. My boyfriend was drunk the night he forced himself down my throat. I'd been asleep when he came in, but when I remembered feeling flattered when he woke me. Flattered that he wanted my company. That feeling didn't last.

When he finally let go of me, I felt violated and confused.

What did I do to make him think it was ok? Did I owe him this, because I wasn't ready to have sex? Was this just what oral sex felt like? Did this make me a slut? Was he going to expect more? Did he even like it? Was I bad at it? Would he break up with me if I said no in the future? Wait, did I even say no this time? Maybe I didn't.

It took me a long time to come to terms with the fact that I had experienced sexual violence. That night played through my head over and over again for weeks.

He brushed his fingers on my lips affectionately, I remembered. What happened between that and the moment when he pushed open my jaw and forced himself into me? Nothing. And that was the problem.

It doesn't matter that I didn't have the chance to say no. It matters that he never asked. That's why there was no consent.

The person who violated me and the person whose recent comment was overheard and printed in last week's Quid both failed in a fundamental way to recognize that other people have a right to their own body. Maybe my boyfriend thought that his good looks excused him from the need to ask for consent. Maybe he didn't think consent was necessary for oral sex. Either way, he felt entitled to my body without my permission.

Sexual violence isn't only committed by "bad men" of malice and violence who lack a moral code. It's committed by people who fail to respect the person with whom they are intimate. It's the result of a culture of entitlement. My boyfriend didn't respect my dignity and my autonomy. It's that simple. It's that devastating.

It's now been years since I broke up with the boyfriend who violated me. We have both learned a great deal.

I've learned that sometimes consent is sexy and sometimes it's awkward, but that every single time you engage in sexual activity



THE IMPORTANCE OF CONSENT (cont'd)

Trigger warning: The following texts may contain explicit descriptions of sexual violence / Avertissement: Les textes ci-dessous pourraient contenir des descriptions explicites d'agressions sexuelles.

of any sort, it's necessary. I've learned that spoken consent is the best way to start with a new partner. I've been in loving relationships and explored my sexuality in safe ways. I've learned that consensual sex isn't boring sex. It's better sex. It's sex with trust and respect. Sex can still be as passionate, playful, and as loud as you want. You can role play, you can use toys, but you need to be in touch with your partner's feelings of comfort and discomfort. Learning each other's limits, agreeing on ways to give each other consent, and ensuring you have a safe word are all key to a healthy, consensual sex life.

Meanwhile, the guy who was once my boyfriend and once my aggressor is now my friend. He has worked to change his own expectations and attitudes. He has participated in forums and workshops, read books and articles, and now self-identifies as a "feminist." He's educated himself about gender inequality, learned to question socio-cultural constructions of masculinity, and reached out to me to make amends for his actions. As a freshman, he didn't know the meaning of consent. Now, he is a young man who teaches others about it.

What happened to me is all too common. I can only hope that through education and activism, efforts like his will be what's common instead.

My freshman year of high school I was attacked. It was 6:45 am, I was walking to the bus stop on my way to school and I saw a young man jogging in my direction. He jogged right past me and I didn't think twice. I didn't hear his footsteps turning around, coming back in my direction. I didn't see his face when he tried to put his hands down my pants. I couldn't speak or scream; I was in shock. He tried to touch me and instead of fighting back or running, my body simply froze in disbelief, my tongue muted by incredulity.

He threw me to the ground forcefully and I finally found the voice to let out a scream. He didn't leave, but instead tried to get on top of me. I let out another scream, this time it was deafening; it was all I could do in my panic, every other muscle in my body immobile. It scared him. He let me go and ran away.

I didn't know what to do. I got up, my arms red with nascent bruising, my elbows bleeding from the fall, and I just

stood there for a few minutes. I couldn't orient myself because I couldn't understand what had just happened to me.

I walked towards the bus stop in a haze until I saw another woman. She was about a decade older and looked to be in shock. When we saw each other, we both instantly knew that the same man had violated us both. Indeed, this man had attacked her first and just as he was running away from the scene of his crime, he saw me, another convenient target.

I wish I could tell you what this man looked like, but I can't. I couldn't even tell the police what he looked like, and that was the most devastating feeling. I felt powerless, both in the moment of perpetration but also in the aftermath, when I couldn't remember what he was wearing, what his face looked like, or how tall he was; when I couldn't actively participate in finding him, punishing him.

I was raised by my father to be strong, to be fierce, to carve a space for myself, confident of my worth. I was not raised to be weak, to be quiet, to be submissive, and yet, in the one moment where it mattered most, I felt as though I had failed. But I didn't fail; I was robbed. I was robbed of my physical security when a man, without my consent, decided to touch me, grab me, throw me, and hurt me. I was robbed of my psychological and emotional integrity when a man unilaterally decided to dominate me, overpower me, and humiliate me.

I felt ashamed following this incident, but this shame was not mine to feel. I refuse to subsume his disgrace into my conscience.

I remember looking straight into his eyes and yet he remains faceless in my memory, and perhaps rightfully so. He is not just one man; to me he remains the amalgam of every man that I have encountered, both personally and remotely, that has disregarded a woman's personhood, her individuality, and her consent. I refuse to exceptionalise him, because, regrettably, he is not the exception.

- Amanda Ghahremani

Resources available to victims of sexual assault

A victim of sexual assault is a person who, against their will, is subjected to verbal statements, gestures or acts of a sexual nature.

Sexual assault can manifest itself in many ways and with varying degrees of violence.

Whether the aggressor is a family member, a loved one, a friend, an acquaintance or a stranger, it is still a sexual assault.

A sexual assault is generally committed by a man against a woman or a child. It is the product

of a society characterized by unequal gender relations.



It is a crime punishable under the Law.

What should you do if it happens to you?
Talk about it.

MAIN SEXUAL ASSAULT PREVENTION AND VICTIMS SUPPORT CENTRES

- Sexual Assault Center of McGill Students' Society english / women/men / 18+ / group / follow-up with loved ones (514) 398.8500
- Montreal Assault Prevention Centre french/english / women/children / prevention workshops (514) 284.1212
- Women's Centre of Montreal french/english / women / 18+ / support group for incest survivors (514) 842 4780
- Native Friendship Centre of Montreal french/english / women/men / 18+ / individual counselling / support groups (514) 499.1854
- Montreal Sexual Assault Centre french/english / women/men / 18+ / individual counselling (514) 934.0354
- CRIPHASE
 (Resource and Intervention Center for Men Sexually Abused in their Childhood) french/english / men / 18+ / group
 (514) 529.5567

FASE

(Resource and Intervention Center for Women Sexually Abused in their Childhood / CLSC St-Michel)
french / women / 18+ / individual/group counselling

(514) 374.8223

Groupe d'aide et d'information sur le harcèlement sexuel au travail de la province de Québec (information and support centre for victims of sexual harassment at work) french/english / women/men / 18+ / Individual / group intervention / legal advice

(514) 526.0789

The Movement Against Rape and Incest french/english / women / 14+ / individual/group counselling follow-up with loved ones / advocacy

(514) 278.9383

- West Island CALACS french/english / women / 18+ / Individual / group counselling / advocace (514) 620.4333
- Survivors of Incest Anonymous (Womens Y) french/english / women / 18+ / support group (514) 866.9941, EXT. 293
- Trêve pour Elles
 french / women / 18+ / individual/group counselling / advocacy
 (514) 251.0323



A LAWYER BY PROFESSION, AN ENTREPRENEUR BY CHOICE

Où:

3690 Peel Local 102 *NB* Ce n'est pas NCDH!

Quand:

Mardi, 19 novembre 14 h 30 - 15 h 30

APLAM is excited to welcome Elizabeth Thomson, the Governor of the American Chamber of Commerce in Hong Kong for an informal discussion. Ms.Thomson, Chairwoman and the Founder of Orangefield ICS Ltd, describes herself as "a lawyer by profession, an entrepreneur by choice". Based in Hong Kong since 1977, Ms. Thomson has, for over a quarter of a century, helped thousands of highly successful, independently-owned client businesses by providing with respect to tax, corporate restructuring, expanding their businesses in Asia, and doing business in China.

À ne pas manquer pour ceux et celles qui s'intéressent dans l'intersection du droit et des affaires en Asie!

DESIGNATED CENTRES FOR MEDICO-SOCIAL INTERVENTION

 Montreal Sexual Assault Centre / CLSC Métro

french/english / women/men / 18+ / medical care / individual / individual counseiling / monday to friday / 8 AM to 5 PM

(514) 934.0354

 Montreal Sexual Assault Centre / The Montreal General Hospital

english / women/men / 18+ / medical care / monday to friday / 5 PM to 8 AM / 24 h during week-ends and statutory holidays

(514) 934.8090

 Medical Services for Sexual Assault Victims / Hôpital Hôtel-Dieu de Montréal I CHUM french / women/men / 18+ / crisis counselling / medical and psychosocial follow up / 24 hours / 7 days

(514) 890.8100

 McGill University Hospital Centre Montreal Children's Hospital

(514) 412.4499

Hôpital Ste-Justine

franch / children/teenagers | emergency 24h

(514) 345.4611

FOR MORE INFORMATION

 Information and Referral Centre of Greater Montreal french/english / monday to friday / 9 AM to 5 PM

(514) 527.1375

CAVAC

(Montreal crime victims' assistance centre) french/english / rights and remedies

(514) 277.9860

· IVAC

(Compensation to victims of crime)

french/english (514) 906,3019

Regroupement québécois des CALACS

(Centres d'aide et de lutte contre les agressions à caractère sexuel)

french/english / advocacy (514) 529.5252

CRISIS LINES

Montreal Sexual Assault Centre

(514) 934.4504

Depressed Anonymous

french/english / 8 AM to midnight / 7 days

(514) 278.2130 / (514) 278.2124

Infos-Abus

(For Seniors)

french/english / monday to friday / 8:30 AM to 4:30 PM

(514) 489.2287

SOS violence conjugale

(for spousal abuse victims)
french/english / 24 hours / 7 days

1.800.363.9010 / (514) 873.9010

Suicide action Montréal

french/english / 24 hours / 7 days

(514) 723.4000

Tel-Aide

french/english / 24 hours / 7 days

(514) 935.1101

Tel-Jeunes

french/english / age 5 to 20 / 24 hours / 7 days

1.800.263.2266 / (514) 288.2266

EMERGENCY AND REPORTING

O DYF

(Director of Youth Protection)

french / 24 hours / 7 days

(514) 896.3100 / (514) 896.3200

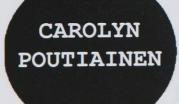
(E14) 03E (106

(514) 935.6196

Police / Ambulance / Paramedics



Law III



BLECHH: LAST WEEK'S OVERHEARD

3L: What's with these uppity bitches? 3L: I know right? It was just a joke.

What's with these uppity bitches?

Why do insensitive jokes matter? Why did so many people get angry enough to actually devote the time to respond to this Overheard?

A simple answer is, there are rape survivors in the Faculty and at McGill. "Jokes" like this Overheard are clearly hurtful and maybe

triggering. But this issue is not just about rape, it's about rape culture. It's about the broader implications and impacts of a culture that allows a feeling of entitlement to others' bodies, that thinks consent is a joke, that lets down victims in a systematic way. It's about how someone can even think to say, "I'm so attractive that there is actually a prima facie presumption of consent."

I feel drained every time I read another story of the Steubenville formulation. I lose a little more patience with every catcall and every time a friend shares a story about harassment or violation.

The analogy of "death by a thousand cuts" is totally dramatic and not my style, but apt.

I know right? It was just a joke.

Rape is not funny – at least in the vast majority of contexts, and in 99.9% of cases. Yes, to put it in perspective, a funny rape joke is that one bacterium that escapes when you slather on hand sanitizer after riding the metro.

(I've tried to think of some rape-related jokes that actually are funny. Only one came to mind: Buster in Arrested Development, in his creepy/awkward way of speaking, referring to his mother Lucille, "Who would want to 'R' her?").

Let me repeat: context matters. What was the context of this Overheard? Was this comment taken "out of context?"

I can't answer the question since I wasn't there. But since someone within earshot actually sent the comment to the Quid Overheard, presumably implying that it was funny, I imagine the context was not a conversation between two feminists rolling their eyes at rape culture.

Even though other people have been careful with gendered pronouns, I'm going to go out on a limb and presume that the speaker was male. It is also likely that this comment was made following recent criminal law classes about sexual assault. While this is speculation, if this was indeed the context of this comment, I'm disheartened to see what this colleague is taking away from his criminal law class. I'm scared at the prospect of this colleague being in a position of power in the legal world, although, I'm aware that the legal world – like the sports world, like the political world – okay, let's just call it the "world" – is already full of people with a similar mindset.

Moving forward, I'm not sure what the effect of this debacle will be on our Faculty, if any. At least it was good to see how many colleagues felt the same way as I did. Will the speaker, and others like him, think twice before commenting on his overwhelming physical attractiveness, or merely internalize the same thoughts and share them behind closed doors?

ROSEL KIM

ON WHAT MAKES US LAUGH (AND WHAT DOESN'T)

Several friends and colleagues have already offered intelligent analysis and commentary on why last week's quote in the Quid was problematic. What I want to do is to follow the feminist maxim of "the personal is political," and share a couple of instances where I faced "jokes" and attempts at humour that did not make me laugh, and go from there.

#1. One time, a man followed me all the way home when I walked home alone from a party. I did everything "right": take the main road (Sherbrooke, to be exact), be alert and not be distracted by other things like my cell phone or an iPod. It didn't matter. I told the security guard at my building - who no longer works there – to keep an eye out for that man, to not let him in with someone opening the door. He just looked at me and said, "He just likes you!" with a smile, as though I should find the thought of a man paying attention to me very flattering.

#2. I was feeling particularly grumpy one morning on the way to school. I guess it showed, because a man came up to me and said, "Why don't you just smile? Give me a smiiiiiiile!" Usually I choose to ignore such comments, but on this day I chose to be a little bit more responsive and said to him, "You know, I don't appreciate that." Maybe it was rude. Maybe my voice sounded a touch sharper than I intended. Either way, this response also did

not get a good reaction, as he changed his tone and yelled, "Well, f*ck you, b*tch."

I am extremely lucky to have not suffered any other physical harm than what can be described as a "bad vibe." Things could've been much worse than just having a few words (and unwanted glances) hurled at me, and I fully recognize that.

Maybe in an ideal situation – where reporting rape will become matter-of-fact rather than a source of stigma, where women don't feel afraid to walk alone at night – we'd all be able to laugh at the Overheard quote. But unfortunately, we aren't there yet; we're not even close. I appreciate a good joke. But appreciating a good joke usually happens when we don't feel threatened by the subject matter – when we feel safe.

I'm not sure what else I can say that would add constructively to the discussion. What I can say is that it made me feel uncomfortable and angry to read it on the page in first glance. Maybe that speaks more to where we are in terms of gender roles in society than the speaker's intentions or the situation. Maybe it's a good thing that the quote made me think of all this. I am, however, glad we are having this conversation.

Law II

RE: OVERHEARD AT THE FAC (NOVEMBER 12)



I am writing to condemn the offensive comment published in the latest "Overheard at the Fac" section of the Quid Novi that trivializes consent and perpetuates aspects of a rape culture that many might ignore.

Only three months into this academic year, and already the promotion of rape on Canadian university campuses has made headlines. Frosh chants at both Saint Mary's University and the University of British Columbia actively, aggressively, discouraged consent. More recently, reports of at least six sexual assaults at UBC and the pending charges of sexual assault with a weapon leveled against three McGill student athletes have starkly underscored the immediacy this problem.

It is against this backdrop that I add my voice to those condemning the comment published in the most recent Quid.

Some may discount the comment as a joke, perhaps in bad taste, but certainly not on a par with the examples highlighted above. Others might simply think that segments of our Faculty are over-reacting to a comment published without context. In response, I

would quote Martin Luther King Jr., who said: "History will have to record that the greatest tragedy of this period of social transition was not the strident clamor of the bad people, but the appalling silence of the good people."

Today I am ending my silence. I encourage others, men and women, to do the same. Whatever the intention of the speaker, whatever the intention of the Quid, it is important that these manifestations of rape culture are denounced. To do otherwise would be to condone them implicitly.

In the spirit of nuanced discussion, I would add one caveat, specifically with regard to Dr. King's quote. He speaks of "good" and "bad" people, but I question the value of these simplistic labels. The term "rape culture" is an apt moniker precisely because it underlines the cultural aspects of gender-based violence. In that light, blaming certain "bad" people misses the underlying systemic problems that must be addressed. Thus, I break my silence not as a good person condemning a bad person within a conflictual framework characterized by right and wrong. Rather, I add my voice to a collective discourse, the object of which must be to move our society forward, away from implicitly accepted rape culture, for everyone's sake.

Law II

MARGERY PAZDOR

A PITCH FOR ENTHUSIASTIC CONSENT

Enthusiastic consent, people. It's the answer to rape culture, I swear. (Well, ok, maybe not entirely. But it could play a big role!) In my opinion, enthusiastic consent is the standard we should be aiming for as a culture, and implementing as individuals. It's bad enough we haven't even caught up to the Supreme Court of Canada's conception of consent in popular culture (and we really, really haven't), but I think it's high time we moved past "no means no" to at least as far as "only yes means yes" and preferably on to "only an enthusiastic yes really means yes."

People say yes all the time when they aren't really that into sex, and it's true that there can be plenty of "blurred lines" and unclear expectations around sexual interactions. But all of that drops away when you start looking for some enthusiasm in your consent, and when that enthusiasm is vocalized. Like, said out loud. I know, I know, in the movies the lovers just know that they both want to be kissed. But in real life? Making assumptions based on non-verbal cues can often lead to anger, confusion, disappointment, discomfort and ultimately assault.

But all that drops away if instead you rely exclusively on enthusiastic, explicit consent. And if you accept nothing less! If you think your partner is maybe not that into it, but could be convinced —

that is not enthusiasm. If your partner says they do not want to have sex – that is not consent, much less enthusiastic consent. Accept nothing less than enthusiastic consent and be explicit in both asking for and giving enthusiastic consent. It may be an adjustment to see it as sexy – it is certainly not what popular culture teaches us is sexy. But I believe it will make us a much, much healthier culture if we stop propagating the idea that one person has to be passive and the other person has to just "go for it". Don't rely on actions to let people know what you want, just say what you want. Seriously. Life is so much better if you just say what you want. Respectfully, of course. And accepting respectfully the other party's response even if (especially if) it is not the response you had hoped for.

Oh, and keep asking. It's called "checking in". Just because someone enthusiastically consents at the beginning of a sexual encounter doesn't mean they can't, or won't, change their minds. If you aren't sure, just ask. Even if you are sure, it might be work asking. You might find that talking about how much you are both enjoying the sex can be pretty sexy in and of itself. Enthusiastic consent. It should be the bar we all set for ourselves. Really.

For more perspectives on what enthusiastic consent and consent culture in general might look like I recommend checking out:

http://www.doctornerdlove.com/2013/03/enthusiastic-consent/http://disruptingdinnerparties.com/2013/09/26/modeling-consent/http://www.thefrisky.com/2012-03-22/the-soapbox-on-consent-culture/

Promote enthusiastic consent in your life and in your intimate relationships. It's a fantastic (and fun!) way to combat rape culture.



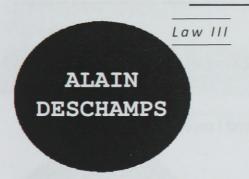
THE MAGICAL MOMENT OF THE MEETING OF THE MINDS

The magical moment of the meeting of the minds When my wish is yours and yours is mine. A connection of wills, a fusion of desires Ensuing sensations that take us both higher.

The magical moment of the meeting of the minds, At each act, each stage, each position, each time. "Tell me what you want. Shall we try this?" "Not that – how about this. Yes, yes...Oh, yes!"

The magical moment of the meeting of the minds When my wish is yours and yours is mine. Attaining Cummings' "togethercolouredinstant" – Mutually pleasurable because mutually consented

That magical moment of the meeting of the minds When my wish is yours and yours is mine. A connection of wills, a fusion of desires Ensuing sensations that take us both higher.



RE: OVERHEARD AT THE FAC (NOVEMBER 12)

I wanted to write a much more in depth response to last week's rape joke published in the Quid. However, in an impressive feat of incompetence, I managed to delete a much more elaborate version of these comments. Given time constraints, I must content myself with the following brief observations.

The joke published in last week's Quid made use of outdated stereotypes which help perpetuate rape culture. However, we should not focus our blame on the individual. While the joke was inappropriate and sexist, it occurred in a context in which the speaker felt it was safe to utter. We all have a role to play in creating and maintaining that social context. Accordingly, as a community, we should focus our attention on how we can change that social context.

For myself, I had some difficulty in coming up with a response to the rape joke. I felt a certain sense of irony while I was writing because I am sure that I have made comments in the past which I would be mortified to find published in the Quid. I believe that the vast majority among us have done so as well. This is why I feel it is much more productive to turn our attention inwards, rather than rushing to blame the one individual who happened to get caught.

It is especially important at this time that we maintain a non-confrontational approach when tackling issues of sexism. Typically, sexism lurks under the surface and is not the subject of much public commentary. The rape joke published last week in the Quid has now pushed it to the forefront. Attacking individuals for expressing their views will only serve to drive unpopular views back underground for fear of public reprisal. Instead, by focusing on a positive dialogue, this controversy can be constructively harnessed to combat the perpetuation of sexism. Take this opportunity to speak out against sexism and constructively engage your peers. Creating scapegoats may feel good in the heat of the moment but they ultimately poison any possibility for progress.



FACTS AND NEWS

NOVEMBER 10-15: NEWS UPDATE

Ten teenage boys from Laval face a variety of child pornography-related charges. Officers have identified seven girls who were either coerced into having their picture taken, or who were tricked into thinking the picture would be deleted immediately.

Read more: http://montreal.ctvnews.ca/ten-laval-teens-face-child-pornography-charges-1.1542919#ixzz2kfgVTO6A

"Oh and the last thing was, um, Olivia Gondek. It says that I wanted to eat her p---y. Olivia Gondek, I've never said that in my life to her. I would never do that," he said, in comments that were broadcast live on television. "I'm happily married — I've got more than enough to eat at home."

Read more: http://www.cbc.ca/news/canada/toronto/rob-ford-s-oral-sex-comments-draw-ire-of-colleagues-1.2426402

Two US Secret Service agents have been removed from President Barack Obama's security detail amid allegations of sexual harassment and misconduct, the Washington Post has reported.

Read more: http://www.bbc.co.uk/news/world-us-canada-24944843

Police in Canada say 348 people have been arrested and nearly 400 children rescued during a three-year investigation into child pornography.

Read more: http://www.bbc.co.uk/news/world-us-canada-24944358

CALLING ALL WOMEN/MEN

The Rape Aggression Defense System is a program of realistic self-defense tactics and techniques for women. It is offered every semester by McGill's Security Services.

Laura: "Learned a lot and feel much more prepared and confident. The instructors were wonderful and I recommend it to all women."

Joanna: "The simulation was a great way to practice...great job, very compassionate and helpful."

Annie: "The course was excellent to improve self-confidence, defense skills and women empowerment. I recommend it to every woman."

Mary: "I think the course was very worthwhile and I recommend it often."

More information: http://www.mcgill.ca/security/services-0/training-and-workshops/rape-aggression-defense-registration

- Of every 100 incidents of sexual assault, only 6 are reported to the police
- 1 2% of "date rape" sexual assaults are reported to the police
- 1 in 4 North American women will be sexually assaulted during their lifetime
- 11% of women have physical injury resulting for sexual assault
- Only 2 4% of all sexual assaults reported are false reports
- 60% of sexual abuse/assault victims are under the age of 17
- over 80% of sex crime victims are women
- 80% of sexual assault incidents occur in the home
- 17% of girls under 16 have experienced some form of incest

- \bullet 83% of disabled women will be sexual assaulted during their lifetime
- 5% of sexual assault victims are boys under 16
- half of all sexual offenders are married or in long term relationships
- 57% of aboriginal women have been sexually abused
- 1/5th of all sexual assaults involve a weapon of some sort
- 80% of assailants are friends and family of the victim

Source: http://www.sexassault.ca/statistics.htm





Self defence course offered by Security Services to all women at McGill University



- ·Hands on training!
- •Certified McGill Security Services instructors!
- •Only \$20.00 registration fee!
- Largest system of self defence in North America!

www.mcgill.ca/security

What is R.A.D. (Rape Aggression Defence) Systems? RAD is a program of realistic self-

defence tactics and techniques. It is a comprehensive course for women that begins with awareness, prevention, risk reduction and avoidance, while progressing on to the basics of hands-on training. The system teaches women defensive concepts and techniques against various types of assault, by utilizing easy, effective and proven self-defence tactics. It provides a woman with the necessary knowledge to make an educated decision about resistance.

How long is the RAD course?

This course is usually taught Friday and Saturday and is between 9 and 12 hours long. The course begins with a three hour classroom component where basic concepts of personal safety and prevention are taught. The following day, participants go through approximately nine hours of practical techniques

enhanced by teaching scenarios and simulations.



McGill Security Services

805 Sherbrooke St. West | Montreal H3A 089

514 398 4556

E: rad.security@mcgili.ca

W: www.mcgill.ca/securi



Who can take the RAD course?

All female members of the university community (students, faculty members and staff) are invited and strongly encouraged to take this course. There is no required level of fitness. All you need to bring is comfortable athletic clothing and your motivation!

PAR NEW

Is there a fee for this course?

The fee for this course is only \$20.00 which includes the cost of the participant reference manual.

What to bring to the course?
For the theory portion you do not need to

bring anything.
For the practical session:

- Bring athletic clothing and shoes
- ·Bring water
- ·Bring your own lunch

To sign up for the course?
Go directly to:

www.mcgill.ca/security



www.mcgill.ca/security

VARIOUS CONTRIBUTORS

RAPE IS NOT A JOKE

AN OPEN LETTER IN RESPONSE TO LAST WEEK'S "OVERHEARD"

Like many in the Faculty, we were shocked and disappointed to open our copies of the Quid last week to

find an offensive comment about rape published in the "Overheard" section.

We were pleased that the Quid editorial staff promptly apologized for the publication and is reviewing their policies for the Overheard section. However, given that the comment may reflect the attitudes of some students in the Faculty, we would like to explain why, in our view, it was inappropriate to say it, to submit it and to publish it in this way.

Le viol n'est pas une blague. C'est un crime sérieux qui fait du

mal à beaucoup de personnes. Contrairement à de nombreux crimes toutefois, les survivants d'agressions sexuelles voient leurs calvaires être systématiquement banalisés et remis en question par la société et par ceux en position d'autorité.

The anonymous student quoted probably thought their comment was funny. But the comment reflects attitudes that contribute to rape culture. One of these attitudes is the idea that certain privileged people, because of their wealth, athletic ability or, in this case, self-perceived physical attractiveness, are entitled to sex. This is bolstered by attitudes that treat bodily autonomy as unimportant or secondary to the entitlements of the privileged.

Alors qu'il n'existe plus une telle chose que la présomption de consentement en droit criminel canadien, cette présomption de consentement continue d'exister dans l'esprit de plusieurs qui commettent des agressions sexuelles, qui enquêtent ces crimes et qui en parlent dans la sphère publique. Blâmer la victime – minimiser le crime commis en raison de ce que portait la victime ou la quantité d'alcool consommée- reflète ces présomptions.

By publishing the comment in the Overheard section without commentary or a trigger warning, the Quid implied the comment was funny. This serves to validate attitudes of privilege and entitlement underlying rape culture. This comment, like the recent 'rape chant' incidents at Canadian universities, harms survivors of sexual assault by trivializing it.

Si les membres du Quid ou la personne qui a soumis ce commentaire voulait souligner l'existence de la culture du viol dans notre faculté, ils auraient pu le faire sans publier ce commentaire dans la section Overheard. Ce commentaire, figurant isolé, ne fait rien pour aider mais beaucoup pour nuire.

Much of the blame, however, must lie with the anonymous stu-

dent quoted. We cannot know for certain, based on a comment taken out of context, that this student buys into rape culture. But they made a comment that reflects it and reinforces it. This person may very soon be a prosecutor or a defense lawyer in a sexual assault case. In a few decades, they could become a judge. At the very least, they will likely occupy a position of privilege and public trust.

Il est troublant de penser que de telles attitudes peuvent exister dans la Faculté de Droit. Nous pouvons seulement espérer que ce débat nous encouragera tous à évaluer nos propres attitudes et privilèges, et à arrêter de nier que la culture du viol existe dans notre Faculté.

Sincerely,

The Feminist Collective of McGill Law RadLaw Women & the Criminal Law

Alysa Batzios Allison Render



ON RAPE AND JOCULARITY: A COMPOSITE

As male students at the Faculty, we echo the sentiments of the Feminist Collective on the utterance, submission, and publication of the offensive

comment on rape in last week's Quid. The comment has attracted a lot of negative attention—and rightly so—as it makes light of sexual assault and of consent, which is no laughing matter. Il est impératif de prendre ce sujet au sérieux: le consentement est toujours réquis, peu importe la situation ou la personne, et faire une blague qui trivialise quelque chose de si grave n'est pas acceptable. - James McCarthy, 2L

We understand that the person who said or wrote the "joke" about rape and sought to have it published in the Quid was probably trying to be funny. But that is exactly why this so problematic. The fact that a huge number of women and girls are victims of sexual assault, not to mention that sexual assault has a low victim-report and prosecution rate, is a manifestation of our society's oppression of women and girls. Turning this into a joke not only furthers systemic inequalities by promoting rape culture, but it trivializes violence and the sexual violation of women and girls. It is not funny, but shameful that is it still deemed acceptable for men and boys to view and treat women and girls as submissive, subordinate, and in some way inferior. We will not presume that such behaviour can easily be stamped out, even in an institution of higher learning, but we expect a basic level of

awareness and sensitivity to violence and systemic inequality.

We are writing this not simply to denounce this type of thinking and behaviour (and poor editorial oversight), but to help raise more awareness about the lack of gender equality in our society, and the many ways in which the oppression of women is manifested. - Tyler Meyer, 2L

Certes, le commentaire en question n'est pas une blague: son inclusion dans le contexte comique de la section "Overheard" était inapproriée, néfaste, et insensible. That said, we appreciate the Quid's timely apology, and its decision to print this special issue on the topic of consent—a much needed conversation. As law students, we have been afforded the privilege of learning how to navigate the law and to wield its power effectively, a privilege that goes hand in hand with great responsibility. The rationale that undergirds this student's comment is that rape is defined by the aggressor, that "presumption of consent" should stem from privilege (attractiveness), and that the abuse of such privilege warrants absolution. The comment trivializes rape and consent, propagates patriarchy, and insidiously employs legal terms, feigning an air of validity. It undermines the need for dialogue that is based on mutual respect and understanding, and the creation of safe space for victims of rape. Impunity is not a hypotheticalthe crime of rape is under-reported and has a low rate of conviction. Earlier this year, the Library of Parliament published an

article entitled "Under-Reporting and Low Conviction Rates for Sexual Assault", which begins with this fitting statement: "The experiences of victims of crime depend not only on the laws and institutions in place, but also on the individuals victims encounter throughout their interaction with the justice system." As current and future actors in this system, it is our duty to act and interact accordingly. - Olivier Jarda, 2L

It is important for people, especially educated people who will soon be at the forefront—if they are not already—of important social issues to realize that language can have significant consequences beyond what one would initially expect. Beyond the usual problems of unintended interpretation or presumed context, language always conveys meaning, and unfortunately the human brain is limited in what it can do with meaning. If I make a joke, within the private conversational context that I make that joke it will have a particular meaning, but nevertheless the underlying idea within my speech comes to be in the minds of any listener.

To use a grossly oversimplified example, if I say "yeah, because group A is predisposed to crime" in a sarcastic voice, you consciously understand that I'm not serious, but unconsciously the idea that this group is predisposed to crime is now in your head. Source amnesia can then operate to make you forget that the original context of that thought was a joke. Confirmation bias

can then subtly reinforce this concept in your mind. Repetition amplifies this process, something anyone who has studied propaganda or advertising can tell you. And there you have a simplified version of the underlying mechanics to things like systemic discrimination and the perpetuation of patriarchy.

This doesn't mean you shouldn't make jokes! Rather this means that as an educated person with all the obligations that privilege implies towards broader society, one should be aware of the public societal context that speech always implicitly has. In the case of patriarchy, I think a certain extra sensitivity is called for, because it is such a pervasive structure. What one should be sensitive to is that sometimes language can have real tangible harm, in a multitude of ways both at the systemic and personal level, and care should be taken in its use.

In solidarity,

James McCarthy Tyler Meyer Olivier Jarda Warwick Walton Behzad Hassibi Bill Bjornsson

Law Senator

GUILLAUME BLAIS

THE IMPORTANCE OF McGILL TAKING A STAND

As I'm sure you are aware, the university is currently facing strong criticism with respect to how in particular the

senior administration responded to the recent revelation that charges of sexual assault had been filed against three students and active members of the McGill Redmen Football team. In my capacity as Law Senator, when major issues come up I have the privilege of being one of only a few members of this faculty able to speak directly to members of the senior administration. Last week I had the opportunity to express to members of the administration my displeasure with their action on the issue, and I wanted to take the time to write to you and explain why. As Law Senator I believe have an obligation when such major issues arise to reach out to you, the students of this faculty, not only to foster meaningful discussion and engagement, but to let you know where I stand.

At the conclusion of a joint Board-Senate meeting held at the Faculty Club last Tuesday I participated in a special meeting with university Provost Anthony Masi, Deputy Provost (Student Life and Learning) Ollivier Dyens, SSMU VP university Affairs Joey Shea, and my student senator colleagues in which we talked about the university's involvement and action (or lack thereof)

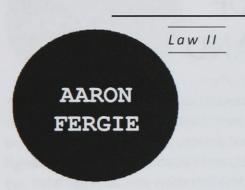
with respect to the charges of sexual assault. Although a number of concerns were raised, there were two primary issues discussed at the meeting: first, what action, if any, the institution should take against the students, and second, whether or not the conduct of the university administration was appropriate given the circumstances.

With regards to the first question, I believe the university's decision not to take action against the students is justified. Deference needs to be paid to the criminal justice system and to due process in general. The students have a right to be presumed innocent until proven guilty, and the laying of charges should not in any way justify any sort of additional academic sanction. At the meeting however, the potential for the institution to sanction students who are criminally charged while occupying leadership roles - whether they be student athletes or political representatives - was discussed, and I find myself not completely opposed to the idea of suspending students from their leadership roles while an investigation is underway. At present however, the reality is that university policies do not provide the necessary framework for the institution to sanction students who are criminally charged, and until we have a university-wide discussion about the issue I think the position taken by the university is justified. The appropriateness of the public conduct of the administration, on the other hand, highlights how McGill could, and should have done better.

When the university first heard about the incident in May, no public action was taken. As I made clear to the Provost at last week's meeting, this is absolutely unacceptable. McGill should have been proactive and set the tone for this discussion from the very beginning. As if that wasn't enough, once the administration was forced to communicate publicly when the story broke in the Montreal Gazette earlier this month, they let the entire McGill community down once again. Although they made comments about respecting the need for due process and their desire not to take action to institutionally reprimand the students, not once did they take a stand to reaffirm the institution's commitment to combatting not just sexual assault, but issues of gender-based violence both on and off campus. This is particularly surprising because within Montreal and across Canada, McGill is known, for better or for worse, as an institution that takes a stand. Before I had even stepped foot on this campus a slew of emails told me exactly where the university stood on a variety of important issues. Coming from an institution that never publicly took a stand for much at all, I now pride myself on this institution's willingness to not only take a stand, but to communicate it to students. This is why, in particular, I find the university administration's failure to both disclose its awareness of the charges, and to use this as an opportunity to take a stand nothing short of disappointing.

Instead of publicly reinforcing the position that McGill is willing to do all it can to combat sexual assault, the university administration allowed its silence to speak volumes. As a result, the institution as a whole appeared neither willing nor able to deal appropriately with the issue. After having talked to many members of not just this faculty but also the broader campus community, I can confidently say that this image does not in fact reflect reality. This situation presented an opportunity for the senior administration to take steps to educate, raise awareness, and bring students, staff and faculty together in order for the community to reiterate its commitment to being proactive with respect not just to sexual assault, but forms of gender-based violence as well. The administration's failure to take a stand did a disservice not only to this community, but also to the many victims of sexual assault and gender-based violence among us.

Despite the failure on the part of the administration I'm encouraged to see so much discussion among students about this topic. The longer we keep this discussion going, the more they listen. It is not too late for the administration to step up and take a stand. I encourage you to write the Deputy Provost (Student Life and Learning) Ollivier Dyens, to ask him what the administration plans to do to raise awareness about and combat sexual assault in our community. I am sure he will take the time to respond. If any students would like to meet with me personally to express their perspective and continue this discussion, I would be more than happy to do so. As always, you may reach me by email at lawsenator@ssmu.mcgill.ca.



MAN TO MAN TEACHING SELF-CONTROL AND LOVE

Preliminary Caveats

Targeted Audience: In this article, I have tried to address a predominately heterosexual male audience. That said, aside from a few minor points, I suspect it is quite accessible to a homosexual male readership as well (I welcome comments in this regard!).

Perspective: I have tried to adopt a "male point of view", recognizing that any discussion assuming a norm is bound to be incomplete. Furthermore, the perspective of women is absent here because I have attempted to complement feminist discourse on rape. The goal is to effectively tackle a real social problem from an additional angle, not to undermine or exclude.

Targeted Problematic: This article is directed at the problematic of rape culture more generally, rather than persistent sexual predators.

Call to Action

It's our great shame as men that the bulk of rape culture criticism comes from feminist discourse. If anyone needs to take responsibility for the education of young men, it should be us. We know the difficulties and concerns of young men best, so we need to start thinking about rape from a male point of view.

Rape from a Male Point of View

Young men growing up experience difficulties that are hard for women to appreciate – just as young women experience difficulties that are hard for men to appreciate. For many of us, sexual thoughts occupy substantial mindspace and sexual activity is a very high priority. By way of example, it's not uncommon for young men to masturbate five times a day or more. This doesn't mean we're "perverted"; it's just as foolish to call young women "gross" for having periods as it is to call young men perverted for having strong sexual urges. The trouble is we are given a tremendous sex drive but pitifully few tools to deal with it.

Impoverished Sexual Education

Unless our parents take it upon themselves to set a good example, or we are lucky enough to have an enlightened group of peers, many of us end up with nothing more than:

- (1) a lesson in how to find sexual organs and put on a condom;
- (2) a group of peers who can think of nothing better to do on a Friday evening than get laid;
- (3) an internet full of seedy pornography that glorifies stimulating but otherwise quite unhealthy interaction.

In sum, we are taught how to get sexual gratification, without being taught when it's appropriate and why.

Teaching Self-Control

Much has been said elsewhere about the indicators of consent*, but not nearly enough is being said about how, in practice, a man can hold back, and why he should hold back**. It's easy to say "just stop when she says no", but quite another thing to do it when much of your energies have been spent towards reaching that crucial moment, and every cell in your body is telling you otherwise. The solution: we need to start teaching a better paradigm of sexual practice – the power and desirability of self-control.

Such an education would teach young men the value of self-control, and how to do it. The "how" part could include physical techniques – perhaps muscular exercises or other techniques commonly used to "stop the flow". Teaching the value of self-

*This does not mean I think stopping rape is an insufficient reason. Rather, the more reasons we have, the better and stronger our approach will be to stopping it

control for men could emphasise the heightened sexual gratification that follows holding back – for both partners – and also the masculinity of self-control that requires discipline, endurance, strength, and moral fortitude. To reinforce this image, it could be contrasted with that of the akratic man-slut, a perpetually unsatisfied dribbling faucet, as opposed to a raging river breaking through a dam.

What's Missing: Love

The picture I've painted is incomplete: sex is a need, but affection and love are much deeper needs. Studies show that college students engaging in regular sexual activity with a single partner in the context of love and affection benefit from much greater stress release than those who go cruising. In fact, it's not even clear that promiscuous men gain any long-term stress release benefits at all.

So, a truly complete education would teach love or compassion. Being told to share and play nice is woefully inadequate. Love and compassion take skill and discipline. The core skills are training in basic communication - like listening - and healthy mental habits, such as how to understand and accept your own needs (perhaps through daily meditation) as well as those of others. These sorts of skills are the foundations for respect and care for others, which is the essential core of loving activity.

Comments

I'm new to writing publicly on this subject, so I'll gratefully receive any comments or criticism: david.fergie@mail.mcgill.ca

GROUPE-CONSEIL D'ÉQUITÉ EN ÉDUCATION

NEWS FROM YOUR EDUCATIONAL EQUITY ADVISORY GROUP

Chers et chères collègues, nous tenons à vous présenter le Groupe-Conseil d'équité en éducation (EEAG) pour 2013-2014. The Committee members for this academic year are: Lillian Boctor (2L), Behzad Hassibi (2L) Lipi Mishra (2L), Professor Vrinda Narain (EEAG Chair), Assistant Dean (Admissions & Recruitment) Ali Martin-Mayer and Assistant Dean (Student Life & Learning) Aisha Topsakal.

L'EEAG est composé de membres de la faculté et des étudiants. Nous visons à favoriser un environnement facultaire inclusif des diverses identités, expériences et habiletés. Dans le cadre de notre mandat, le EEAG tient à informer les étudiants des processus institutionnels par lesquels ils peuvent exprimer leurs préoccupations sur des questions liées à la diversité et à l'équité dans la Faculté, ainsi qu'aider à trouver des solutions aux problématiques de discrimination, harcèlement et exclusion.

We invite you to share your suggestions and concerns! You can do this by contacting any member of the EEAG directly or by submitting a suggestion through the online Suggestion Box, a safe space where you can provide your comments, ideas and experiences confidentially and anonymously. To submit to the Suggestion Box, please use the following link:

http://www.surveymonkey.com/s/3Q96PG6

(continued on next page...)

^{**}I wholeheartedly agree that much more could and should be taught on this matter.

The Committee recognizes that issues of equity, diversity and access are of the utmost importance to students' well-being and educational experience. While McGill has sought to address these concerns, a recent string of events has raised issues of discrimination and exclusion based on race, gender, sexual orientation, religion and socio-economic status on our very own campus. It is evident that there is still a significant amount of work to do in remedying these problems and the university culture.

The EEAG is a part of this ongoing effort to bring about positive change in the campus environment, working to make it more in-

clusive, equitable and accessible. To move forward we need your participation, energy and insights!

We look forward to hearing from you and to working together this year.

Contact the **student members** of the committee: behzad.hassibi@mail.mcgill,ca; lillian.boctor@mail.mcgill.ca; lipi.mishra@mail.mcgill.ca

Contact the **faculty and administration members** of the committee: aisha.topsakal@mcgill.ca; ali.martin-mayer@mcgill.ca; vrinda.narain@mcgill.ca



YOUR EDUCATIONAL EQUITY ADVISORY GROUP





Opération Coup de Main: Winter Food, Clothing, and Book Drive

Lend a helping hand, and give what you can!



Drop your donations at the following locations:

- In the Atrium
- In front of 306 NCDH
- In front of the LSA office
- At the library
- In front of the SAO

From November 18th until December 2nd

All proceeds will be donated to:

- The NDG Food Depot (www.depotndg.org)
- Dans la Rue (<u>www.danslarue.com</u>)
 - Renaissance (www.renaissancequebec.ca)

Law III

KATIE
SPILLANE &
MARC ROY

ON SHAME AND BLAME

After reading the Overheard section of last week's Quid, we were shocked. Appalled. Outraged. It quickly became clear that many of our colleagues had similar reactions to what we all read on that final page. We hope this week's issue has provided an opportunity for others to deconstruct effectively the comment that provoked these reactions, explaining how such statements contribute to the perpetuation of sexual violence.

Tangled up in our reaction of shock was an important question: how, as a community, do we respond to the publication of a statement such as this? What channels can we use to express our outrage while building understanding and compassion? How can we connect to, rather than marginalize, those who do not already share our perspective? How do we listen effectively to all the reactions that the statement elicits – and not just our own? How do we ensure this becomes a formative experience in building a community that everyone can feel is a safe space?

When someone does something that departs egregiously from our sense of what is right, our first impulse may be to disparage, condemn, and ultimately to shame publicly the 'guilty' person. To make a spectacle of punishment has long been part of our culture – be it through writing apologies on the blackboard, religious confession or marching dissenters to the guillotine. But does the blaming and shaming instinct serve to build our community and accomplish our shared goals? While we limit ourselves here to discussing the immediate circumstances, these are questions that implicate not only our reaction to this statement, but reactions to wrongdoing more broadly.

Our intention is not to condone or condemn any particular reaction, but to question the aims and usefulness of blame, shame and punishment. In the short term, these reactions close ears and put those we hope to engage on the defensive. In the long term, these reactions build resentment, entrench divisions and shut down dialogue. Blame, shame and punishment create an "us and them" mentality that fails to take into account community responsibility for wrongdoing and,

more importantly, allows us to shift responsibility for progress and healing. We all share this responsibility.

We have no doubt that the anonymous person who uttered the words in question, the person who submitted it to the Quid, and the editor(s) who printed it are aware of the intense reactions to the comment. They may each feel some shame. This is a natural response of a good person who has made a mistake, but there is nothing inherently valuable in the feeling of shame itself. Neither is there added value in exposing them to increased shame by attacking them or their character. While decrying an action, we should not forget the humanity of the actor.

Response is necessary, valid and to be welcomed. The goal of responding, however, should not be to expose those involved to ridicule or shame. Response should be an opportunity to model respectful attitudes with respect to sexual issues, and to foster an environment in which it is possible to explore misunderstandings about sexual violence. Response should provide an opportunity for all of us to learn: to better understand ourselves and each other. Listening and speaking should be an opportunity to broaden our vision of how both words and silence contribute to the perpetuation of sexual violence; an opportunity to understand how sexual violence affects and involves not only survivors, but also families, colleagues, and partners.

We celebrate and are heartened by the mobilization and diversity of reactions we have witnessed within our community. Indeed, we have been deeply impressed and enlightened by some of the responses already shared. That being said, we urge you to think about the content and quality of the reaction that unfolds as much as the trigger statement itself. We should also stop and think about whether and why responding felt unsafe – for any member of our community – and what implications this has for community dialogue.

We hope that this attitude of constructive, community-building response permeates this special issue of the Quid, and can be the attitude with which we can all move forward.

THE NATIVE WOMEN'S SHELTER OF MONTREAL

AN EVENING OF MUSIC

An evening of music, guest speakers, and food all in support of the Native Women's Shelter of Montreal! See details below...

Ending Violence Against Indigenous Women:

an Awareness-Raising Fundraiser for the Native Women's Shelter of Montreal (NWSM)

Friday, Nov.29th, 6:30 PM

Thomson House Ballroom, 3650 rue McTavish

\$15 Tickets include performances by Moe Clark (our MC for the evening) and Odaya,

Dinner, Speakers and a Raffle!

Tickets are available at First Peoples' House, 3505 Peel Street

The 3 main aims of the event:

1) To raise awareness about violence against Indigenous women in Canada.

2) To celebrate the activism of groups such as the Native Women's Association of Canada (NWAC) whose tireless work has brought this issue the attention of international bodies such as the United Nations, which are now taking action.

3) To highlight the importance of work at NWSM and within other community groups who directly support women who've survived or are surviving violence.

This community-building event is brought to you by the volunteer based NWSM fundraising committee in partnership with the McGill Social Work Association of Graduate Students (SWAGS) and the Aboriginal Law Students Association at McGill University.

For more info about:

NWAC: http://www.nwac.ca/home Moe Clark: http://moeclark.ca/

Odaya: https://www.facebook.com/pages/Odaya/22131337257

The Native Women's Shelter: http://www.nwsm.info/

The Event: jodi.nwsm@gmail.com,

https://www.facebook.com/events/229452403888369/229462630554013/?notif_t=plan_mall_activity

FACULTY COUNCIL

FACULTY COUNCIL SUMMARY

In this year's Annual Report on undergraduate applications, there was both good news and bad news. In good news, the process was more efficient

than in past years and allowed McGill to make earlier offers to applicants. This year's class is both academically excellent and highly diverse linguistically and nationally. In bad news, there was a decrease in applications felt by all law schools in Canada and the US. The proportion of acceptances to offers decreased slightly. The faculty agrees that these numbers mean that greater resources must be put into recruitment efforts.

The Annual Report on graduate applications was also addressed. Incoming graduate students remain highly international, with representatives from 25 countries. Doctoral students have been highly successful at obtaining both internal and external funding through gifts, stipends and government grants. Both the teaching mentorship and fellowship have been successful initiatives to provide doctoral students with training as professors rather than exclusive training in research skills. The faculty recognizes that

access to funding remains crucial in order to attract highly qualified candidates.

Le Conseil Facultaire a voté pour modifier la structure de la pause universelle à partir de l'année prochaine. Pour une meilleure conciliation avec la grille horaire de l'université, la pause universelle du mercredi et vendredi sera écourtée d'une demi-heure. En contrepartie, la pause du lundi durera une demi-heure de plus. Toutes les pauses dureront donc une heure et demie, c'est-à-dire la durée d'un cours standard. L'objectif est de réduire le nombre de plages horaires affectées par les pauses universelles. Ceci facilitera l'accès aux cours hors faculté.

La semaine d'intégration a été jugée comme étant un grand succès. The faculty received positive student feedback, with a particular emphasis on the preference for group discussions over plenary sessions. Next year's Integration Week will happen during the first week of classes. It was held later this year to accommodate Labour Day and Rosh Hashanah.



INFO-SESSION RECAP

Testimonials

"If you consider yourself a hardcore gamer, the Journal might just be for you.

SCRABBLE® (my all-time favorite game) nails it: 'Every word counts!'" – Talia Joundi, Junior English Editor

"Journal work is rewarding because every week, you get to take a project from start to finish. It gives me a sense of tangible accomplishment." - Claire Gunner, Junior English Editor

"The Managing Editor's position is one of the best kept secrets of the Journal. It gives you the opportunity to sit on the Board of Directors of a corporation, negotiate contracts, and manage relationships with contractors and alumni. In addition to project management, the Managing Editor can elect to assist with editorial tasks. Being a manager at the Journal is a terrific stepping stone to a corporate law career." – Nancy Zagbayou, Managing Editor

"Jusqu'à présent, mon expérience à la Revue de droit de McGill a été très formatrice. En plus d'avoir eu un accès privilégié à des articles bien rédigés et bien documentés, j'ai grandement amélioré mes propres habilités de recherche." Gabrielle Trahan, Junior French Editor

"Much of what lawyers do involves research and writing (which involves editing). Being on the Journal has given me a head start on my career, by allowing me to acquire a high degree of fluency with various legal materials (such as the McGill Guide and legal databases) and build on my editing skills. Both of these assets will contribute to my future career in law and are transposable to a multitude of careers, meaning this experience has opened doors that might be closed if I hadn't joined." Nicholas Torti, Junior English Editor

"This is a nerd's paradise! I sleep with the Cite Guide under my pillow." – Marion Sandilands, Senior English Editor

"Working for the McGill Law Journal management board is having the opportunity to connect with great colleagues and organize events to bring people together." Léonie Brais Laporte, Junior Manager

McGill Law Journal: Info session recap

For those of you who are interested in applying for a position on the McGill Law Journal but didn't make it to the information session on November 6, below is some key information to orient you in your application process.

À propos de la Revue

Fondée en 1952, la Revue de droit de McGill est l'une des revues de droit les plus respectées au Canada. La Revue publie quatre numéros par volume et accepte des articles dans les deux langues officiels.

The MLJ organizes and hosts events at the faculty every year, ranging from the Annual Lecture to the upcoming MLJ coffee-house on March 13th. We will also be hosting a wine and cheese on February 13th to give you the opportunity to meet the current members of the Journal.

What positions are available?

The Journal recruits editors and managers every year to its associate board. The number of editors and managers hired depends on the needs of the Journal and varies year-to-year. Last year, the Journal welcomed 3 managers, 3 French editors, and 9 English editors.

The managers assist with administrative tasks and are responsible for the Journal's finances. Editors are responsible for ensuring that accepted articles conform to the Journal's publication standards.

How is the MLJ structured?

Each year the Editorial Board elects the Board of Directors, comprised of an Editor-in-Chief, a Managing Editor, an Executive French Editor, an Executive English Editor, and an Executive Coordinating Editor. All Associate Board members are eligible to run for executive positions and a vote is held at Annual General Meeting in February. Associate Journal members who are not elected to an executive position become senior editors or managers in their second year on the Journal.

What is the time commitment?

Journal work is assigned weekly by the executive board and is expected to take 8–10 hours to complete. Journal members also work on various committees throughout the year. This year, the Journal counts five committees: French Conference, Digital Media, Recruitment, Podcast, and Citations.

Les rédacteurs du comité adjoint reçoivent 3 crédits chaque année scolaire, et les gestionnaires du comité adjoint reçoivent 2 crédits. Les membres de l'exécutif reçoivent 4, 5, ou 6 crédits, dépendament de leur poste.

Être membre de la Revue, c'est un engagement de deux ans et les membres de la Revue ne peuvent pas partir en échange pendant leur mandat.

Comment soumettre ma candidature?

Vous pourrez télécharger l'application directement sur notre site web. Elle sera disponsible le lundi 6 janvier 2014.

Editorial applications require you to edit part of its text and a set of footnotes (using the track changes function in Microsoft Word). Editorial applicants are also asked to write a brief evaluation recommending the article for publication or rejecting it.

Managerial applications ask you to respond to questions regarding your marketing, finance, and leadership experience. You will

also have to critique an article published by the Journal in order to demonstrate your writing abilities.

Applicants will have 10 days to complete their application from the time they download the package. The deadline for submitting applications will be Monday March 10, 2014. The interviews and the final selection will take place in March.

Why join the McGill Law Journal?

Working for the MLJ is an opportunity to expand your legal education beyond the classroom. Journal members interact with highly accomplished legal scholars from all over the world both by reading and editing their written submissions and by meeting them in person at Journal events. Being on the MLJ will improve your eye for detail and your ability to manage your time.

If you have any further questions, please feel free to send us an email at mcgilllawjournalmanagement@gmail.com, or come to the Journal office in 306 NCDH. We look forward to meeting you!

Being on the Law Journal means...

higher chances of sighting the library's basementdwelling serpent beast!

The McGill Law Journal is recruiting. Learn more at: <u>lawjournal.mcgill.ca</u>





GROUPE-CONSEIL D'ÉQUITÉ EN ÉDUCATION

RESPONSE TO THE "OVERHEARD" ON NOVEMBER 12, 2013

The publication of a highly offensive quote in the "Overheard" section of the Quid on November 12, 2013 has raised a number of pertinent issues relating to sexual assault and rape in our Faculty. The emotional violence and trauma that these words have perpetuated is no laughing matter. The publication of the quote in the Quid, however, suggested that it might be a laughing matter, which is unacceptable.

Ces commentaires sont complètement déplacés et nous jugeons qu'ils n'ont pas leur place dans les couloirs du Chancellor Day Hall. Nous appelons notre Faculté de droit à être consciente de la gravité de l'agression sexuelle.

Utilisons cet incident malheureux pour affirmer notre con-

damnation de toute violence sexuelle et notre support aux survivant-e-s d'agression sexuelle. Nous espérons qu'un dialogue constructif se dégage de cet événement et nous encourageons tous nos collègues de la Faculté de continuer à être proactif dans la création d'une culture de respect.

The Educational Equity Advisory Group at McGill University's Faculty of Law (a Committee comprised of students and Faculty) is open to hearing from students who wish to share their thoughts about this incident. You can anonymously submit your concerns to: http://www.surveymonkey.com/s/3Q96PG6

Your Educational Equity Advisory Group/ Votre Groupe-Conseil
 D'Équité en L'Éducation

DANS LA RUE

CALL FOR APPLICATIONS LEGAL CLINIC PLACEMENT

The Legal Clinic Course is now receiving applications for a 6-credit Winter/Summer placement with Le Bon Dieu dans la rue. To be eligible for this placement, students must have completed 4 semesters of coursework at the Faculty of Law. Interested students should contact Katie Spillane at mlcc.law@mcgill.ca for application forms and further information.

Applications must be submitted by Friday, November 29th at 5 p.m. and should include:

- A cover letter explaining your interest in the position
- A CV
- A Signed LCC Application form

— Le Bon Dieu dans la rue —

Fondé par le Père Emmett Johns (« Pops ») en 1988, Le Bon Dieu dans la rue vient en aide aux jeunes sans-abri ou en situation précaire. Avec dévouement, empathie et respect, et grâce au soutien de la communauté, ils veillèrent à leurs besoins immédiats et travaillent avec eux afin qu'ils puissent acquérir les compétences et les ressources nécessaires pour mener une vie plus autonome et plus enrichissante.

- Nature of the Work -

Students will provide direct assistance to youth (information, accompaniment) and be responsible for creating legal information aids (such as brochures). Emphasis on dealing with urgent situations, relations with police, accompaniments to court, educating people on their individual rights, helping young adults understand their legal situation and the options available to them, administrative law and dealing with government and bureaucracy.

Continuez à nous envoyer vos articles à

l'adresse suivante :

quid.law@mcgill.ca

LAW SCHOOL OF



STARTING AT 8 PM | DOORS OPEN AT 7 PM

DIVAN ORANGE 4234 ST-LAURENT BLVD 10\$PRE-/15\$AT THE 10\$SALE/15\$DOOR

SPONSERED BY OSLER

Lawyers

NORTON ROSE FULBRIGHT

World-Class, Worldwide

Aside from being part of a truly international legal firm, you'll benefit from practical, hands-on experience and exposure to various areas of practice.

Law around the world

thenortonrosefulbrightdifference.com

Geneviève Ménard

Recruitment and Students Programs Director 514.847.4695 genevieve.menard@nortonrosefulbright.com

